

Broadcasting False Information

In 1938, a radio station in New York City broadcast an adaptation of the science fiction novel *The War of the Worlds* about a Martian invasion of the Earth. To heighten the dramatic effect, the broadcast was written and performed so that it would sound like an actual news broadcast. Thousands of listeners believed what they were hearing was actually happening and many panicked.

Today, this type of broadcast is against the law.

Broadcasting false information concerning a crime or a catastrophe violates the rules of the Federal Communications Commission (FCC).

Specifics of the FCC's Rules

The FCC's rules prohibit broadcast licensees from broadcasting false information concerning a crime or a catastrophe if:

- the licensee knows the information is false;
- it is known beforehand that broadcasting the information will cause substantial public harm; and
- broadcasting the information does, in fact, directly cause substantial public harm. The "public harm" must begin immediately; it must cause direct and actual damage to property or to the health or safety of the general public, or divert law enforcement or public health and safety authorities from their duties. In the case of the example above – *The War of the Worlds* broadcast caused widespread panic, because people believed the earth was being invaded by Mars.

Disclaimers

Broadcast licensees can use disclaimers if the disclaimer clearly characterizes the program as fiction and the disclaimer is presented in a way that is reasonable under the circumstances. If such a disclaimer is used, the program will be presumed not to pose foreseeable public harm.



Complaints

Complaints regarding the broadcast of false information can be filed with the Federal Communications Commission, Enforcement Bureau, Investigations and Hearing Division, 445 12th Street, SW, Washington, D.C. 20554. Complaints should include the call sign and community of license of the station, the date and time of the broadcast(s) in question, and a detailed description of the public harm caused as a result of the broadcast. In addition, if possible, complaints should include a transcript or recording of the broadcast in question.

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For this or any other consumer publication in an accessible format (electronic ASCII text, Braille, large print, or audio) please write or call us at the address or phone number below, or send an e-mail to FCC504@fcc.gov.

To receive information on this and other FCC consumer topics through the Commission's electronic subscriber service, click on www.fcc.gov/cgb/emailservlet.html.

This document is for consumer education purposes only and is not intended to affect any proceeding or cases involving this subject matter or related issues.

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